

**ENTERED**

September 30, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**MIRIAM EDWARDS, *et al.*,

Plaintiffs.

V.

MCDERMOTT INTERNATIONAL,  
INC., *et al.*,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 4:18-CV-04330

**ORDER REJECTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On October 19, 2021, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 204. Judge Edison filed a Memorandum and Recommendation on September 11, 2023, recommending that the Section 14(a) Lead Plaintiff's Amended Motion for Class Certification, Appointment of Class Representatives, and Appointment of Class Counsel (Dkt. 303) be denied. Dkt. 387. On September 25, 2023, Plaintiff filed its Objections to Judge Edison's Memorandum and Recommendation. Dkt. 403.

Under 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3)

(“The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.”).

Having carefully considered the Objections, the Memorandum and Recommendation, the pleadings, and the record, the Court **REJECTS** Judge Edison’s Memorandum and Recommendation. Section 14(a) Lead Plaintiff’s Amended Motion for Class Certification, Appointment of Class Representatives, and Appointment of Class Counsel (Dkt. 303) is **DENIED WITHOUT PREJUDICE** to being reasserted with briefing that focuses solely on the numerosity, commonality, typicality, and adequacy requirements of Federal Rule of Civil Procedure 23(a) and the predominance and superiority requirements of Federal Rule of Civil Procedure 23(b)(3). The parties are **ORDERED** to submit an agreed briefing schedule **on or before October 6, 2023**.

It is so **ORDERED**.

SIGNED and ENTERED this 29th day of September 2023.

A handwritten signature in black ink, reading "George C. Hanks, Jr.", is written over a horizontal line.

GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE